

1. Introduction to Forest Practices Habitat Conservation Plan 2010 Annual Report

1.1 Introduction

In 2006, Washington State completed the Forest Practices Habitat Conservation Plan (Forest Practices HCP) to protect aquatic and riparian-dependent species on more than nine million acres of state and private forestlands. This was a multi-stakeholder effort in response to the federally designated threatened and endangered status of certain fish species. The United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries) (collectively, “the Services”) accepted the Forest Practices HCP and under the authority of the Endangered Species Act (ESA), on June 5 2006, the Services issued Incidental Take Permits (ITPs) to Washington State. The Incidental Take Permits provide assurances for forest landowners that, if conducting forest practices in compliance with forest practices rules, cannot be prosecuted if they inadvertently “take” (kill or harm the habitat of) a member of an aquatic or riparian-dependent species covered by the HCP. The implementation of the Forest Practices HCP is a partnership between the Services and Washington State.

Three state agencies, the Washington State Department of Natural Resources (DNR), the Washington Department of Fish and Wildlife (WDFW), and the Washington Department of Ecology (Ecology) work together to implement the Forest Practices HCP. DNR provides the majority of staff positions that oversee implementation of the Forest Practices HCP due to the authority given the department in the Forest Practices Act (chapter 76.09 Revised Code of Washington (RCW)) and Rules (Title 222 Washington Administrative Code (WAC)). However, both WDFW and Ecology have dedicated office and field staff time to support the various functions of the Forest Practices Program and the implementation of the Forest Practices HCP. WDFW and Ecology support includes participation in the following:

- The Adaptive Management Program (which includes the Forest Practices Board; the Cooperative Monitoring, Evaluation and Research Committee (CMER); the Forests and Fish Policy Committee; Adaptive Management Program Administrator; and the Independent Scientific Review Panel);
- The Compliance Monitoring Program;
- The Family Forest Fish Passage Program (FFFPP);
- The review of Road Maintenance and Abandonment Plans (RMAPs);
- The development of chapters in the Forest Practices Board Manual (Board Manual);
- The evaluation of water type change proposals;
- The review of forest practices applications; and
- Interdisciplinary Teams.

Under the Forest Practices HCP, the state has a commitment to submit an annual report to the Services describing the implementation activities. This fourth annual report covers the period from July 1, 2009 to June 30, 2010. The report describes the efforts within the Forest Practices Program and with our partners to implement the Forest Practices HCP. The WDFW provided information for this report which can be found in the Road Maintenance and Abandonment chapter, and the Small Forest Landowner chapter. Ecology did not provide information for this report.

1.2 2010 Report Highlights

Highlights of the Forest Practices HCP implementation from July 1, 2009 to June 30, 2010 include:

Forest Practices Board

- On August 12, 2009, the Board adopted rule amendments to WAC 222-30-021(1) related to riparian management zones (RMZs) in western Washington. The rule making process spanned almost four years and was managed through the adaptive management process. Board Manual Section 7 also was revised to reflect the change to the riparian area Desired Future Condition basal area targets.
- On May 10, 2010, the Board adopted rule amendments to WAC 222-16-010 and WAC 222-16-080 related to Northern Spotted Owl conservation.
- On February 10, 2010 the Board approved an alternate plan template for Fixed Width Riparian Buffers for forests owned by Small Forest Landowners.
- The Board is considering whether rule making is necessary to ensure that watershed analysis prescriptions for unstable slopes (mass wasting) protect public resources and ensure public safety.

Adaptive Management Program

- Forests and Fish Policy developed, and the Forest Practices Board approved, a small forest landowner fixed-width riparian buffer template at the request of small landowners.
- The Adaptive Management Program caucus principals worked together in FY 2010 to seek long-term funding for the program (see Chapter 3).
- Cooperative Monitoring, Evaluation and Research (CMER) Committee developed a table (found in the 2011 CMER Work Plan) showing the complementary relationships among studies found in the annual CMER work plans addressing forests and fish goals and resource objectives.
- CMER spent considerable effort at reformatting the work plan in 2009 in order to make each rule group chapter more consistent in layout and presentation of information.
- The Forest Practices Application, Desired Future Condition Desktop Analysis study went through Independent Scientific Peer Review and was completed in FY 2010.
- The Forests and Fish Policy Committee held a budget retreat in April 2010 and approved the FY 2011 CMER Work Plan and budget.
- As a result of the recent recession and its severe negative impact on timber markets, and at forest landowner's request, Forests and Fish Policy group formed a sub-group to work with the governor's office and all caucuses on alternatives for Road Maintenance and Abandonment Plan implementation. This includes a potential schedule adjustment for completing RMAP work, and for the caucuses to work collaboratively to seek additional funding for fish barrier repair completed by small landowners and counties.

Small Forest Landowner Office

- There are currently 682 eligible fish passage barrier sites in the Family Forest Fish Passage Program (FFFPP). A total of 232 barriers have been funded and 166 barrier projects have been completed since the program's inception in 2003.
- While funding for the Forest Riparian Easement Program (FREP) was not available during this reporting period, the program did receive one million dollars in funding for the next reporting period (July 2010 to June 2011). The budget appropriation requires DNR to work with interested stakeholder groups to make changes in the program's eligibility criteria, project prioritization, and policy provisions.

20-Acre Exempt Riparian Forestland

- Field visits to sites utilizing the 20-acre exempt forest practices rules indicate that landowners may be leaving more trees than required in the riparian areas, with 78 percent of the riparian stream length in harvest areas being left as no harvest areas.
- About 1.7 percent of all approved (non-renewal) forest practices applications for the reporting period were 20-acre exempt forest practices applications adjacent to fish-bearing streams.

Riparian Open Space Program

- Rule development currently is underway with the Forest Practices Board. The rule would broaden the scope of the program to include acquisitions of conservation easements for critical habitat for threatened and endangered species listed in WAC 222-16-080.

Compliance Monitoring Program

- Three significant changes were made to the compliance monitoring sampling process based on a technical review of the program design.
- A new stakeholder committee was chartered to provide a forum for communication and information sharing among forest practices stakeholders, in addition to providing guidance and recommendations to the Compliance Monitoring Program.

Road Maintenance and Abandonment Planning (RMAP) for Large Forest Landowners

- Large landowners reported repairing 268 fish passage barriers during the 2009 calendar year. Of the 5,580 barriers identified, this contributes to the 56 percent overall accomplishment rate since 2001.
- During the 2009 calendar year, 1,176 miles of forest road were improved. Cumulatively, a total of 16,195 miles of road has been improved since 2001.
- WDFW reviewed approximately 907 RMAP-related Hydraulic Project Approvals.

Tribal Relations

- A total of 14 forest practices applications triggered the landowner/tribal meeting requirement and all 14 of those meetings successfully took place.

Enforcement

- There were a total of 14,118 current (i.e. open) forest practices applications during this reporting period. Enforcement on the current applications included writing 233 notices to comply and stop work orders combined, of which 162 were for violations. The resulting ratio of these violations to total current applications is 1.15 percent.

Washington State Legislature

- The state's focus in the past year has been budget driven. Numerous bills were introduced to combine agencies, limit working boards that assist agencies in their duties, transfer common duties to a single agency, and several other cost saving measures.

Information Technology

- The 4,715 forest practices applications/notifications (received or renewed) were entered into Forest Practices Application Review System (FPARS) during the reporting period. 1,600 reviewers receive notice of new forest practices applications/notifications within their area of interest.
- Forest Practices GIS Section developed several tools to assist DNR region staff in tracking suitable northern spotted owl habitat within median home range circles in Spotted Owl Special Emphasis Areas (SOSEAs).
- The foundational work for the Forest Practices Application Review System (FPARS), version 3 (v.3) was completed. FPARS v.3 will allow applicants to complete and submit a forest practices application to DNR on-line.

Budget

- The Forest Practices base budget for 2009-2011 was reduced by approximately 20 percent. However, funding remained stable during this reporting period for region Forest Practices positions that review forest practices applications and comply and enforce the forest practices rules.

Training/Information/Education

- DNR regions completed more than 120 training presentations and informational meetings during the reporting period, including training on topics about watershed analysis, the riparian open space program, water type modifications, the enforcement database, and wetlands.

The report provides additional information related to each of these highlights in the relevant chapter that follows.